

1 41. (New) A waste liquid treatment system of claim 40 further comprising:

2 A. the tube inner wall (140) having an inner wall surface (142), the tube outer
3 wall (190) having an outer wall surface (192); inner wall surface (142), outer wall surface
4 (192), vane surface (92) and fin surface (210) receives biofilm (97).

7 42. (New) A waste liquid treatment system of claim 41 further comprising:

8 A. wastewater inlet (350) and discharge means (400) comprising pipes; the
9 wastewater inlet (350) directs flow of wastewater into the media matrix (1); the discharge
10 pipes (400) discharges from the media matrix container (250).

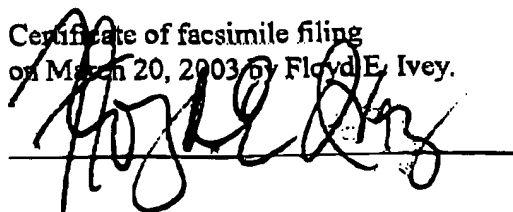
13 **REMARKS**

15 **1. Specification**

16 The Examiner, at page 2 of the Action of August 16, 2000, refused entry of a
17 substitute specification filed April 11, 2000 as not conforming to MPEP 608.01(q),
18 regarding markup requirements, and 37 CFR 1.125 requiring certification of no new
19 matter and stating that the specification is replete with new matter. Your applicant has
20 now submitted a substitute specification which is wholly drawn from the original
21 application. The substitute specification is re-formatted. Additional text is drawn from a
22 careful examination of the original drawings in accordance with *Woofster v. Carlson*, 367
23 F.2d 436, 441, Cust. & Pat.App. 1966; *Carlson v. Nagata*, 480 F.2d 1372, 1375-76 ;
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1 Cust. & Pat.App.,1973. The examination of the original drawings, comprising Figures 1-
2 11, demonstrate the structure described in this substitute specification. Your applicant
3 asserts and certifies that no new matter is included.
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6 2. Drawings

7 The Examiner, at page 3, has noted that "new" drawings submitted April 11,
8 2000, were disapproved as introducing new matter. The NEW DRAWINGS ARE
9 WITHDRAWN.
10

11 The drawings as originally submitted presented eleven figures in six sheets. Each
12 sheet bore the Title Block of "BIO-SEPTIC SYSTEMS". The drawings with this
13 submittal are the original drawings with numerical identifiers added and "Figure"
14 identifiers added. There is no new matter added by the drawings as amended. Your
15 applicant will, in a later paper, submit clean drawings.
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18 3. Priority

19 The Examiner observes incorrectly claimed priority. The Examiner states that if
20 applicant desires priority under 35 USC 119(e) based upon a previously filed provisional
21 application, that specific reference must be made in the instant application. Your
22 applicant has made such reference in a separate paragraph following the title. There is no
23 foreign priority claimed.
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2 4. Oath/Declaration

3 The Examiner states that a new oath or declaration complying with 37 CFR
4 1.67(a) identifying this application by application number and filing date is required.
5 Your applicant submits a Oath/Declaration addressing the issues cited by the Examiner.
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9 5. Claim Rejection - 35 USC 112

10 The Examiner has rejected claims 10-29 under 35 USC 112. The Examiner states
11 in whole, at paragraph 8, page 5 "Claims 10-29...as containing subject matter which was
12 not described in the specification in such a way as to reasonably convey to one skilled in
13 the relevant art that the inventor(s), at the time the application was filed, had possession
14 of the claimed invention." Your applicant understands this paragraph to mean that the
15 claims contain subject matter which was not described in the specification and that those
16 skilled in the art will not be enabled in practicing the claimed invention absent other
17 disclosure.
18

19 Your applicant has submitted a substitute specification certifying that no new
20 matter has been added. Your applicant has cancelled claims 10-29. Your applicant has
21 added new claims 30-42.
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25 6. Claim Rejection - 35 USC 102
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1 The Examiner has rejected claims 10-13 and 15-20 under 35 USC 102(b) as being
2 anticipated by Brebion and claims 10, 11, and 15-20 as being anticipated by Couture.
3 Claims 10-29 have been cancelled. New claims 30-42, drawn to the substitute
4 specification and original drawings, have been added..
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7 **SUMMARY OF AMENDMENTS AND REMARKS**

8 The applicant has reviewed the Examiner's Action of August 16, 2000, and has
9 addressed all objections and rejections disclosed therein and has PETITIONED FOR
10 REVIVAL OF THE ABANDONED APPLICATION. Accordingly, the applicant has
11 made a good faith attempt to meet each objection and/or rejection as noted by the
12 Examiner. The applicant has canceled claims 10-29 and has added new claims 30-42.
13 Your applicant requests the Office of Petitions to grant the Petition to Revive the
14 Abandoned Application, to return this application to prosecution and to withdraw the said
15 objections and rejections and to allow the claims as set forth and as added.
16
17

18 Respectfully submitted,

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20
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24 *****

25 **CERTIFICATE OF TRANSMISSION:**

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1 The undersigned hereby certifies that this correspondence is being facsimile transmitted
2 to the Patent and Trademark Office Fax No. (703) 308 6916 on March
3 20, 2003.

4 Signature

5 ~~Gina Swift~~ FLOYD E. IVEY

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